

*Approved, Assistant U.S. Attorney
3/16/15*

AO 91 (Rev. 11/11) Criminal Complaint



UNITED STATES DISTRICT COURT
for the
Southern District of Texas

United States Courts
Southern District of Texas
FILED

MAR 16 2015

David J. Bradley, Clerk of Court

United States of America)
v.)
Jose Manuel Saldivar Farias a/k/a:) Case No.
"Z-31," "Borrado," and "Carlos Cruz-Jimenez,")
and)
Osiel Hernandez-Martinez)

Defendant(s)

H15 - 326 M**CRIMINAL COMPLAINT**

I, the complainant in this case, state that the following is true to the best of my knowledge and belief.

On or about the date(s) of 01/01/10 continuing until 3/13/15 in the county of Zapata in the

Southern District of Texas, the defendant(s) violated:

<i>Code Section</i>	<i>Offense Description</i>
21 USC 846, 841(a) and 841 (b)(1) (b)	Conspiracy to Possess with the Intent to Distribute a Controlled Substance) (more than 1,000 kilograms of marijuana)
18 USC 1001(a)(2)	False Statements to Government Agent

This criminal complaint is based on these facts:

Continued on the attached sheet.

Complainant's signature

Rodolfo T. Rodriguez, TFO, FBI Laredo

Printed name and title

Sworn to before me and signed in my presence.

Date: 03/16/2015

Judge's signature

City and state: Houston, TX

George C. Hanks, Jr., U.S. Magistrate Judge

Printed name and title

AFFIDAVIT OF CRIMINAL COMPLAINT

I, Rodolfo T. Rodriguez, having been duly sworn, depose and state as follows:

1. I am a Supervisory Border Patrol Agent deputized as a Special Federal Officer/Special Deputy-U.S Marshal assigned to the Laredo Resident Agency of the Federal Bureau of Investigation, San Antonio Division. I have been employed as a Border Patrol Agent for approximately eight years. I have been deputized as a Special Federal Officer/Special Deputy U.S. Marshal for approximately one year. I am currently assigned as a Task Force Officer (TFO) to a Violent Crimes /Major Offenders squad, where I conduct criminal investigations.
2. The Los Zetas Transnational Criminal Organization (TCO) represents one of seven major Drug Trafficking Organizations (DTO) that pose a grave threat to Mexican national security and to the U.S. counter-narcotics efforts. The Los Zetas TCO was originally started by a group of defectors from the Mexican Special Forces Unit Grupo Aeromovil de Fuerzas Especiales (GAFE) who were hired by Osiel Cardenas Guillen, the head of the Cartel del Golfo in 1999, to act as an enforcement/security arm for his organized criminal enterprise. The Los Zetas Cartel later broke from the Gulf Cartel after the capture and extradition of Osiel Cardenas. They have since become one of the largest organized crime groups in Mexico in terms of geographical presence.
3. The Los Zetas are known for their paramilitary style command and control structure. Each region of Mexico is broken into territories under the command of Regional Commanders. Each significant town or population center is controlled by plaza bosses.
4. Jose Saldivar-Farias is Regional Commander of the northern region of Mexico, to include the states of Coahuilla, Tamaulipas and Nuevo Leon. Jose Manuel Saldivar-Farias, the previous plaza boss for Nueva Ciudad Guerrero, Tamaulipas, gained the status of Regional Commander after his brother, Juan Pedro Saldivar-Farias was captured by the Secretaria de Marina Armada de Mexico (SEMAR) on October 12, 2013. Saldivar-Farias' year of birth is 1987.
5. Confidential Source One (hereinafter "CS1") is presently in federal custody. CS1 has given information in the past that has proved reliable on multiple occasions that resulted in the seizure of marijuana and that has been corroborated by other confidential sources. CS1 advised that Jose Manuel Saldivar-Farias, AKA Z-31 is still the Regional Commander for the Falcon Lake area in Zapata, Texas, and is in charge of all narcotics moving over Falcon Lake. CS1 reported having crossed at least ten 1,000 lbs loads of marijuana from Mexico to the United States via the Falcon Lake across from Zapata, Texas within the span of one month on behalf of a drug trafficking organization (hereinafter "DTO") based out of Zapata, Texas. The marijuana for these loads was supplied by Jose Manuel Saldivar-Farias. Agents estimate that several, multi-ton quantities of marijuana are crossed into the United States this way every week.

6. On the night of March 12, 2015, at approximately 9:30 p.m., Texas Department of Public Safety (DPS) Quick Reactionary Force (QRF) in conjunction with the Texas Air National Guard were conducting fly-over operations over Falcon Lake, in support of DPS Operation Strong Safety, when they noticed, through the Forward Looking Infra Red system (FLIR), a boat traveling northward into the United States from Mexico at a high rate of speed. Suspecting that the individuals on board the boat were undocumented foreign nationals attempting to enter the United States illegally, the DPS QRF descended and fast roped down to intercept the subjects. Six individuals were observed. Four male individuals were apprehended. Members of the United States Border Patrol Tactical Unit (BORTAC) as well as agents from the Zapata Border Patrol Station arrived approximately ten minutes later. The four subjects were determined to be Mexican nationals with no legal status to be present in the United States. The four individuals were subsequently transported to the Zapata Border Patrol Station for processing.
7. At Zapata Station, border patrol agents determined the individuals' biographical information. The driver of the boat that transported the five subjects across the lake from Mexico into the United States was identified as Osiel Hernandez-Martinez.
8. Confidential Source Two (hereinafter "CS2") has given information in the past that has proved reliable on multiple occasions that resulted in multiple seizures of marijuana and one firearm and which has been corroborated by other confidential sources. I took a picture of Hernandez-Martinez via cellular telephone camera which was shown to CS2 who identified him as a known associate of the Los Zetas Cartel. CS2 has met Hernandez-Martinez in person in Mexico to discuss a drug transaction. After meeting Hernandez-Martinez, CS2 then worked with agents to obtain consensually recorded conversations in which they discussed the seizure of approximately 500 lbs of marijuana in Laredo, Texas by Laredo Police Department, Texas Department of Public Safety, Federal Bureau of Investigations and the Drug Enforcement Agency on November 21, 2014. In early 2015, CS2 and Hernandez-Martinez discussed trafficking firearms and grenades from Houston, Texas to Nueva Ciudad Guerrero in consensually recorded phone calls.
9. One of the males who had no identification told border patrol agents that his name was "Carlos Cruz-Jimenez" and that his date of birth was January 15, 1994. Agents with FBI observed that the male appeared older than 21 years of age and photographed him. This male also told FBI agents that his name was "Carlos Cruz-Jimenez" and that his date of birth was January 15, 1994.
10. Osiel Hernandez-Martinez was interviewed by agents and told agents that the male who identified himself as "Carlos Cruz-Jimenez" was a man known to him as "El Borrado." Hernandez-Martinez told agents that he believed "El Borrado's" true first name was Jose. Hernandez-Martinez indicated he has known "El Borrado" for approximately six years. During that time period, Hernandez-Martinez stated he has transported multiple loads of marijuana on behalf of "El Borrado" as well as doing various jobs for "El Borrado" in furtherance of his drug trafficking operation. Before crossing the US/Mexico International Boundary in the boat, "El Borrado" instructed Hernandez-Martinez and the

other males with them, to lie about El Borrado's" identity. "El Borrado" specifically instructed Hernandez-Martinez and the males in the boat to tell U.S. authorities that "El Borrado" was "Carlos Cruz-Jimenez." Hernandez-Martinez initially denied knowing "El Borrado" and told agents he disclaimed knowledge of "El Borrado" because "El Borrado" had the ability to order people's deaths. Hernandez-Martinez further advised that "El Borrado" was in charge of the whole region, and was also in charge of anything that crosses over Falcon Lake, to include all drugs. Hernandez-Martinez also stated that "El Borrado" would take advantage of all the fisherman and order them to cross drugs and people from Mexico to the United States.

11. Confidential Source Three (hereinafter "CS3") is presently in federal custody. CS3 has given information in the past that has proved reliable that has been corroborated by other confidential sources. On March 13, 2015, agents showed the photo stack to CS3. CS3 selected the photograph of "Carlos Cruz-Jimenez" and identified that male as someone known to him/her as "El Borrado," known to agents as Jose Manuel Saldivar-Farias. CS3 advised agents that that he/she had seen "El Borrado" at CS3's house in Zapata, Texas, in November 2014. CS3 told agents that "El Borrado" is in charge of the "whole area" meaning "El Borrado" controls all criminal trafficking activity across Falcon Lake in in the Zapata, Texas area.
12. Confidential Source Four (hereinafter "CS4") has given information in the past that has proved reliable on multiple occasions that has been corroborated by other confidential sources that has led to a seizure of approximately 500 lbs of marijuana and two arrests. Agents also met with CS4 on March 13, 2015. CS4 is a long time resident of Nueva Ciudad Guerrero and has seen "El Borrado" in person on multiple occasions, as recently as November 2014. CS4 identified Jose Manuel Saldivar-Farias by his picture from a photo stack as a male known to him/her as "El Borrado."CS4 stated that he/she had seen him as early as November of 2014. CS4 knows "El Borrado" to be "in charge" of criminal activity in the region.
13. Confidential Source Five (hereinafter "CS5") is presently in Texas state custody. CS5 has given information in the past that has proved reliable on multiple occasions and has been corroborated by other confidential sources. On March 14, 2015, a photo stack was shown to CS5 who identified Jose Manuel Saldivar-Farias. CS5 stated that he/she grew up with Jose Saldivar-Farias and his brother, Juan Pedro Saldivar-Farias. CS5 stated that they went to grade school with each other. CS5 also identified previous and current pictures of Jose Manuel Saldivar-Farias and Juan Pedro Saldivar-Farias. CS5 knows Jose Manuel Saldivar-Farias' true name as "Jose Saldivar" and that he uses the alias "Z-31" and "El Borrado." CS5 estimated Jose Manuel Saldivar-Farias' to be approximately twenty-seven years old. CS5 advised that both brothers got their start in the Los Zetas Cartel working under Commandante Tortugon aka "Tono" who was in charge of the Nueva Ciudad Guerrero plaza in early 2000. CS5 advised that both Saldivar-Farias brothers worked as "cocineros" (Spanish for 'cooks') for Tortugon. CS5 further explained that a "cocineros" is in charge of killing, torturing and disposing of bodies using a method known as "guiso" (Spanish for "stew") where bodies are disintegrated in large barrels of chemicals. CS5 further explained that when Juan Pedro Saldivar-Farias was arrested in Mexico in

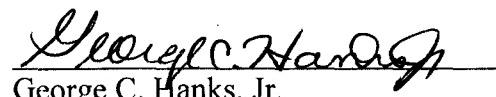
October 2013, Jose Manuel Saldivar-Farias rose to the rank vacated by his brother. CS5 also identified Osiel Hernandez-Martinez from a photo stack. CS5 knows him as "Osiel" and told agents that Hernandez-Martinez was an associate of Jose Manuel Saldivar-Farias who smuggled cocaine and other drugs across Falcon Lake by boat of behalf of Jose Manuel Saldivar-Farias' drug trafficking operation.

14. Confidential Source Six (hereinafter "CS6") has given information in the past that has proved reliable on multiple occasions that resulted in the several seizures marijuana and cocaine, seizures of firearms, explosives and hand grenades. CS6 has provided information that has also led to the arrest and prosecution of several individuals on drug trafficking charges and assisted in rescue of a kidnapped victim. On March 13, 2015, CS6 identified Jose Manuel Saldivar-Farias by a photo. CS6 knows Jose Manuel Saldivar-Farias as "El Borrado" and "Z-31." CS6 has known "El Borrado" since 2013. CS6 knows "El Borrado" to be in charge of all drug trafficking activity in the Guerrero, Mexico area and regional border cities in the United States.
16. Based on my experience and the aforementioned facts and observations, I believe there is probable cause to believe that Jose Manuel Saldivar-Farias aka "Z-31" aka "El Borrado" aka "Carlos Cruz-Jimenez" and Osiel Hernandez-Martinez and others conspired to possess with intent to distribute a controlled substance (more than 1,000 kilograms of marijuana) in violation of Title 21, United States Code, Sections 846, 841(a)(1) and 841(b)(1)(B) and that there is probable cause to believe that Jose Manuel Saldivar-Farias aka "Z-31" aka "El Borrado" aka "Carlos Cruz-Jimenez" gave false statements to government agents in violation of 18 United States Code Section 1001(a)(2).



Rodolfo T. Rodriguez
Task Force Officer, Federal Bureau of
Investigations

Sworn to and subscribed before me and I find probable cause on this the 16th day of March, 2015.



George C. Hanks, Jr.
U. S. Magistrate Judge